

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
MONROE DIVISION**

UNITED STATES OF AMERICA

CASE NO. 3:19-CR-00106-01

VERSUS

JUDGE TERRY A. DOUGHTY

AARON MITCHELL ADCOCK (01)

MAGISTRATE JUDGE HAYES

MEMORANDUM ORDER

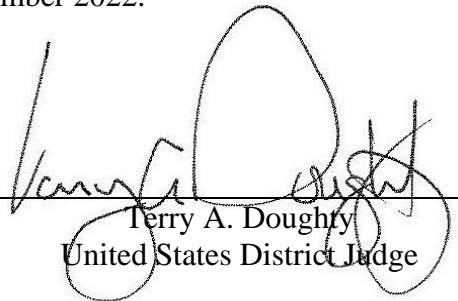
Pending before the Court is a *pro se* Motion for Reconsideration [Doc. No. 74] filed by Defendant Aaron Adcock (“Adcock”). Adcock requests that the Court reconsider its May 17, 2022, Memorandum Order [Doc. No. 72] denying his Motion for Compassionate Release/Reduction in Sentence Pursuant to the First Step Act 18 U.S.C. 3582(c)(1)(A)(i) [Doc. No. 66]. Adcock argues that the Court should reconsider its Memorandum Order because it was filed one day after the Government filed its opposition to the motion [Doc. No. 70], and Adcock was not allowed sufficient time to file his reply to the opposition. The Court agrees with Adcock’s assertion.

While there is no motion for reconsideration *per se*, there is a motion to alter or amend judgment under Federal Rule of Civil Procedure 59(e). The Fifth Circuit has explained that a Rule 59(e) motion “calls into question the correctness of a judgment,” but “is not the proper vehicle for rehashing evidence, legal theories, or arguments that could have been offered,” or were offered, “before the entry of judgment.” *Templet v. HydroChem, Inc.*, 367 F.3d 473, 478-79 (5th Cir. 2004) (citations and internal quotation marks omitted). Adcock disagrees with the Court’s determination in its prior Memorandum Order [Doc. No. 72], and the Court agrees with Adcock’s assertion that sufficient time was not granted to him to allow him to file a reply to the Government’s opposition. Accordingly,

IT IS ORDERED that the Court's Memorandum Order [Doc. No. 72] is hereby
VACATED.

IT IS FURTHER ORDERED that Aaron Adcock may file a reply to the Government's
Opposition [Doc. No. 70] within fifteen (15) days from the date of this order, or before
September 23, 2022.

MONROE, LOUISIANA, this 8th day of September 2022.



Terry A. Dougherty
United States District Judge